

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Cr. No. 17-107 (DWF/TNL)**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>DEFENDANTS' JOINT</b>
	)	<b>MOTIONS IN LIMINE</b>
	)	
MICHAEL MORRIS	)	
PAWINEE UNPRADIT	)	
SAOWAPHA THINRAM	)	
THOUCHARIN RUTTANAMONGKONGUL	)	
WARALEE WANLESS,	)	
Defendants.	)	

Defendants, by and through their attorneys, jointly moves the Court for the following relief:

1. For an ORDER prohibiting the government from eliciting testimony from any witness and/or introducing trial exhibits that make reference to government witnesses as “victims” on the grounds that said evidence is irrelevant under Fed. R. Evid. 401, and/or any marginal relevance is substantially outweighed by the danger of undue prejudice, pursuant to Fed. R. Evid. 403.

2. For an ORDER prohibiting the government from eliciting testimony and/or introducing exhibits using the terms “sex trafficking”, “trafficking” or “money laundering”, or similar terms on the grounds that it is the province of the jury to determine whether the facts of the case support a finding that the government proved beyond a reasonable doubt that defendants’ engaged in “sex trafficking” and/or “money laundering,” under the law as given to the jury by the Court.

3. For an ORDER prohibiting the government from eliciting testimony from any witness and/or introducing trial exhibits that make reference to the debt owed by women who traveled to

the United States to engage in prostitution as “bondage debt” on the grounds that this phrase is a loaded term and is unduly prejudicial under Fed. R. Evid. 403.

4. For an ORDER precluding the government from eliciting testimony from any witness that the debt owed by the women who traveled to the United States to engage in prostitution is coercive on the grounds that it is for the jury to decide whether the evidence presented by the government, including the debt owed by the women, proves beyond a reasonable doubt that the women were coerced into engaging in prostitution, and said testimony would not be helpful to the jury under Fed. R. Evid. 701 and 702.

5. For an ORDER prohibiting the government from eliciting testimony from any witness who was engaged in the commercial sex business that she had a bad experience with a customer on the grounds that such testimony is not relevant to whether the witness was forced or coerced into engaging in the commercial sex business and is unduly prejudicial under Fed. R. Evid. 403.

6. For an ORDER, pursuant to Fed. R. Evid. 412 (b) (1) (C), allowing defendants to cross-examine the alleged victims on whether they previously engaged in prostitution either in Thailand or other countries, and on whether they previously traveled to other countries to engage in prostitution, and paid a debt to others who assisted them in traveling to other countries to engage in prostitution. Defendants make the following offer of proof, pursuant to Fed. R. Evid. 412 (c)(1):

Defendants do not know who the government will call as witnesses at trial. However, defendants have received numerous Reports of Interviews and Grand Jury Transcripts of potential witnesses who aver that they paid a debt to travel to the United States to engage in prostitution. Many of these potential witnesses also state that prior to coming to the United States they either engaged in prostitution in Thailand, or traveled to other countries to engage in

prostitution and paid a debt to others who helped them obtain the necessary travel documents and contacts in these other countries. The government elicited such testimony from witnesses in order to secure the indictment.

In order for the government to prove defendants guilty of a conspiracy to commit sex trafficking, the government must prove that defendants conspired to recruit or entice others to engage in the commercial sex business by use of force, fraud or coercion. Evidence of the witness' prior involvement in prostitution, especially in cases where the witness paid another person a debt to assist in the travel to another country prior to coming to the United States to engage in prostitution is relevant evidence on the issue of whether the witness was coerced or forced to come to the United States to engage in prostitution.

This evidence is admissible on the grounds that exclusion of such evidence would violate defendants' constitutional rights under the Fifth Amendment to present a defense, and would violate defendants' Sixth Amendment right to confrontation.

Defendants cannot notify the alleged victims of this Motion, pursuant to Rule 412 (C)(1)(D) because defendants do not know the location of any of the potential witnesses. However, the government knows where the witnesses are located, and can notify the potential witnesses of defendants' motion.

Dated: October 19, 2018

Respectfully submitted,

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